

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

3:05-cv-00368-HDM-VPC
3:02-cr-00177-HDM-VPC

10 Plaintiff,

11 || vs.

ORDER

12 MARTIN CARDENAS-GOMEZ a/k/a
MARTIN CARDENAS-RAMIREZ,

Defendant.

On November 28, 2005, this court denied the defendant's 28 U.S.C. § 2255 motion as time barred because it was not filed until well beyond the statutory one year limitation period set forth in 28 U.S.C. § 2255. Therefore, the defendant's Motion for Judgment on the Pleadings (Doc. #4) is DENIED as moot.

It is so ORDERED.

Dated this 21st day of December, 2005.

Howard M^{ck} Gibben

SENIOR U.S. DISTRICT JUDGE
